

Jaime Kaplan

From: Reents, Scott <sreents@cgsh.com>
Sent: Monday, April 13, 2015 7:06 PM
To: Jaime Kaplan; Meghan McCaffrey; Eric Lyttle; Mike Lyle; William Burck; Stephen Hauss; Keith Forst
Cc: Liman, Lewis J.; Blackman, Jonathan I.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Karlan, Matthew M.
Subject: RE: Rio Tinto v. Vale, 14 Civ. 3042 (SDNY)

Jaime,

We did not say nor mean to imply that we expect to have disputes with Rio Tinto's logs, only that we would want time to raise any disputes we might have. Judge Peck's instructions call for disputes to be raised on a timely basis and we do not think it is in anyone's interests for you to serve logs so late that issues cannot practically be raised. We agree that a May 1 production of your logs would not leave much time to meet and confer and would therefore welcome an earlier production. Please let us know how much before May 1 you can produce your revised logs.

We have not described to Rio Tinto any specific level of detail it must provide in its log, nor could we without knowing the content of the purportedly privileged communications Rio Tinto is withholding. We can confirm that we will adhere to the same legal standards in our privilege logs we have asked Rio Tinto to adhere to.

Regards,

Scott Reents
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From: Jaime Kaplan [mailto:jaimekaplan@quinnemanuel.com]
Sent: Friday, April 10, 2015 4:44 PM
To: Reents, Scott; Meghan McCaffrey; Eric Lyttle; Mike Lyle; William Burck; Stephen Hauss; Keith Forst
Cc: Liman, Lewis J.; Blackman, Jonathan I.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Karlan, Matthew M.
Subject: RE: Rio Tinto v. Vale, 14 Civ. 3042 (SDNY)

Scott,

With respect to timing, we can deliver the logs by May 1. That said, we are disappointed to hear that Vale is already planning to tee up disputes (that currently do not exist) over the logs in advance of the May 8 conference. The joint letter is due May 6. That means that Vale plans to allow for *two business days* (and perhaps a weekend) to (1) review Rio Tinto's Amended BHP Privilege Log (which will log over 6,000 documents) and the claw back log, (2) come up with a list of complaints, and (3) meet and confer with Rio Tinto to see if the parties can resolve any issues that may remain. This schedule does not leave much time for step #3 (despite our willingness to meet and confer on the issue of the privilege logs). We hope that despite your proposed schedule, Vale will meet and confer in good faith to discuss what appear to be predetermined concerns over our not-yet-served amended log before rushing off to court.

We also note that we remain confused with your position that the BHP privilege log does not comply with the rules or the ESI protocol in light of the seal of approval you gave the logs of BSGR and Steinmetz. Putting that issue aside, during

our call on March 30, you told us that Vale would provide whatever level detail it is seeking from Rio Tinto in its own logs when Vale eventually produces them. Please confirm that Vale will do so.

Best,
Jaime

Jaime Kaplan
Associate,
Quinn Emanuel Urquhart & Sullivan, LLP

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From: Reents, Scott [<mailto:sreents@cgsh.com>]
Sent: Thursday, April 09, 2015 6:31 PM
To: Jaime Kaplan; Meghan McCaffrey; Eric Lyttle; Mike Lyle; William Burck; Stephen Hauss; Keith Forst
Cc: Liman, Lewis J.; Blackman, Jonathan I.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Karlan, Matthew M.
Subject: RE: Rio Tinto v. Vale, 14 Civ. 3042 (SDNY)

Eric and Jaime,

We appreciate your agreement to revise your categorical privilege log to conform with the rules and the agreement of the parties, and to provide a document-by-document privilege log for the documents you purport to claw back. So that we may raise any disputes prior to our next conference before Judge Peck on May 8, we ask that you provide both of these logs no later than May 1.

Regards,
Scott

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From: Jaime Kaplan [<mailto:jaimekaplan@quinnemanuel.com>]
Sent: Friday, April 03, 2015 2:17 PM
To: Reents, Scott; Meghan McCaffrey; Eric Lyttle; Mike Lyle; William Burck; Stephen Hauss; Keith Forst
Cc: Liman, Lewis J.; Blackman, Jonathan I.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Karlan, Matthew M.
Subject: RE: Rio Tinto v. Vale, 14 Civ. 3042 (SDNY)

Counsel,

Please see the attached correspondence.

Regards,
Jaime

From: Reents, Scott [<mailto:sreents@cgsh.com>]

Sent: Friday, March 27, 2015 2:17 PM

To: Meghan McCaffrey; Eric Lyttle; Mike Lyle; William Burck; Stephen Hauss; Jaime Kaplan; Keith Forst

Cc: Liman, Lewis J.; Blackman, Jonathan I.; Morag, Boaz S.; Terceno, Joaquin; Tambay, Esti; Karlan, Matthew M.

Subject: Rio Tinto v. Vale, 14 Civ. 3042 (SDNY)

Counsel,
Please see the attached correspondence.

Regards,
Scott

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